

April 12, 2011

GLORIA L. FRANKLIN, CLERK  
U.S. BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA



1 ABBEY, WEITZENBERG, WARREN & EMERY, P.C.

RICHARD W. ABBEY, ESQ. (SBN: 053039)

2 RACHEL K. STEVENSON, ESQ. (SBN: 174525) **IT IS SO ORDERED.**

100 Stony Point Road, Ste. 200

**Signed April 11, 2011**

3 Post Office Box 1566

Santa Rosa, California 95402-1566

4 Telephone No.: (707) 542-5050

Facsimile No.: (707) 542-2589

*Arthur S. Weissbrodt*

**Arthur S. Weissbrodt  
U.S. Bankruptcy Judge**

5 Attorneys for Creditor

6 Sterling Savings Bank, successor in interest by merger to

Sonoma National Bank

8 UNITED STATES BANKRUPTCY COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 In Re:

12 BENYAM MULUGETA and PAULA R.  
MULUGETA,

13 Debtors.

Case No. 09-51900

Chapter 11

R.S. No. RKN/004

**Date: March 3, 2011**

**Time: 4:00 p.m.**

**Location: 280 South First St., San Jose, CA**

**Courtroom: 3020**

16 **ORDER RE MOTION FOR RELIEF FROM STAY**

17 Upon the Motion for Relief from Automatic Stay filed by Sterling Savings Bank, successor  
18 in interest by merger to Sonoma National Bank, the matter having come on regularly for continued  
19 hearing before the undersigned United States Bankruptcy Judge on March 3, 2011, the appearances  
20 having been duly noted on the record, arguments in support of and in opposition to the motion  
21 having been considered, and good cause appearing therefor,

22 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the hearing on this  
23 Motion, as to the Debtors' property located at **353 Grand Avenue, Oakland, CA** (the "Property"),  
24 is continued for ninety days, at which time the Court will further consider the Motion.

25 The automatic stay shall remain in place pending the continued hearing, provided that  
26 Sterling's counsel continues to receive from the Debtors, on or before the close of business on the  
27 14<sup>th</sup> day of each month, monthly payments in the sum of Ten Thousand Five Hundred Five  
28 Thousand Dollars and Twenty Cents (\$10,505.20) in accordance with the prior Order of this Court

1 entered on August 21, 2009, the terms of which are incorporated herein by this reference as though  
2 fully set forth.

3 The Debtors shall forthwith file a motion for an order allowing the use of Sterling's cash  
4 collateral.

5 The Debtors shall file and serve a copy of their listing agreement pertaining to the Property,  
6 as well as a declaration from their real estate broker as to the recommended listing price for the  
7 Property.

8  
9  
10 \*\*END OF ORDER\*\*  
11

12 *Approved as to form:*

13  
14 By: 

15 Benyam Mulugeta, Debtor  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28